United Nations S/2008/525

# Security Council

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## Letter dated 5 August 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Senegal to the United Nations addressed to the President of the Security Council

I have the honour to enclose herewith the final communiqué of the emergency expanded ministerial meeting of the Executive Committee of the Organization of the Islamic Conference on the latest developments in the Sudan, which took place in Jeddah on 4 August 2008 (see annex).

I should be grateful if you would have the final communiqué issued as a document of the United Nations.

(*Signed*) Coly **Seck**
Chargé d'affaires a.i.

08-45163 (E) 070808 080808

**Annex to the letter dated 5 August 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Senegal to the United Nations addressed to the President of the Security Council**

[Original: English and French]

**Final communiqué of the expanded ministerial meeting of the Executive Committee on the latest developments in the Sudan**

Jeddah, Saudi Arabia, 3 Chaaban 1429 (4 August 2008)

An emergency Ministerial Meeting of the OIC Executive Committee was convened on Monday, 4th August 2008, at the General Secretariat in Jeddah, Kingdom of Saudi Arabia, to discuss the attempt by the Prosecutor of the International Criminal Court (ICC) to seek the indictment of H.E. President Omar Hassan Al-Bashir. The meeting, after extensive deliberations in which it recalled previous CFM Resolutions and Summit decisions on the Darfur conflict, agreed on the following:

1. The meeting expressed its full solidarity with the Sudan under the leadership of H.E. President Omar Hassan Ahmed Al-Bashir and stated its unflinching support for the various endeavors to achieve genuine national reconciliation, lasting peace and stability within the context of a sovereign and united country. In this context, the meeting appealed to the Sudanese parties and other stakeholders to recommit themselves to the revival of the peace process in Darfur and deal constructively with various initiatives in this regard.

2. The meeting reiterated its respect for the sovereignty, independence, territorial integrity and non-interference in the internal affairs of the Sudan, and called on all sections of the international community to do the same.

3. The meeting considered the recent application by the ICC Prosecutor for the indictment of H.E. President Omar Hassan El Bashir, as unwarranted and unacceptable, and expressed its deep concern that this action could seriously undermine the ongoing efforts aimed at facilitating the early resolution of the conflict in Darfur and the promotion of long lasting peace and reconciliation in the Sudan. The meeting also expressed its deep concern that this action could further lead to greater destabilization for the country and the entire region.

4. The meeting urged the UN Security Council to suspend indefinitely the move by the Prosecutor directed against President Omar Hassan El Bashir and, in this respect decided that the OIC should coordinate its efforts with the African Union, the League of Arab States, the Non-Aligned Movement and other political groupings to support steps in the UN and elsewhere aimed at defusing this dangerous situation and preventing its recurrence. In

this context, the meeting instructed the OIC Group in New York to evolve best ways and means of tackling the issue during the 63rd Session of the UNGA.

5. The meeting reaffirmed that any kind of selectivity and double standards in the application of principles of criminal justice and putting an end to impunity for crimes of genocide and crimes against humanity and war crimes will undermine vitality and may negatively affect the credibility of the ICC.

6. The meeting stressed that, in accordance with the Rome Statute, the ICC can only be complementary to national legal systems, which have the primary responsibility of investigating or prosecuting cases over which they have jurisdiction.

7. The meeting called on OIC Member States and the international community to intensify their engagement for the peace building efforts in Darfur. In this regard, it urged them to urgently contribute to reinforce UNAMID operations whose mandate has just been extended by the UN Security Council as well as invest massively in support of improved humanitarian conditions, reconstruction and development in Darfur.

8. The meeting pledged its firm support for the newly appointed joint UN/AU chief mediator on the Darfur conflict, His Excellency Djibril Bassole, and urged the parties to extend full cooperation for the success of his mission.

9. The meeting noted with satisfaction the progress being made in the implementation of Sudan/Chad Agreement brokered by the Chairman of the 11th Session of the OIC Summit, H.E .President Maitre Abdoulaye Wade of Senegal, and urged the two OIC Member States to continue to respect their obligations, to promote good neighborliness and facilitate the speedy resolution of the Darfur conflict within the framework of the Dakar Agreement of 13th March 2008. It also welcomed the recent efforts of the H.E President Abdoulaye Wade and the Libyan Leader Muammar Al-Gaddafi which led to the restoration of diplomatic relations between the Sudan and Chad.

10. The meeting welcomed the joint efforts of the Government of the Sudan, the OIC Secretary General and the IDB President to organize an OIC Donors' Conference, which indicates serious commitment of the Government of the Sudan towards achieving peace and development in Darfur, and called upon Member States to participate effectively and contribute generously at the Conference.

11. The meeting appealed to UNAMID and humanitarian aid agencies to remain focused on their mandate and continue to deliver their valuable assistance to the needy people of Darfur.

12. The meeting requested the OIC Secretary General to communicate this final communiqué to the UN Secretary General, Presidents of the Security Council and the General Assembly, through the OIC Ambassadors' Group in New York, for circulation as an official document.

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## Letter dated 6 August 2008 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to my letter dated 9 May 2008 (S/2009/312) appointing five individuals to serve as experts on the Group of Experts on the Democratic Republic of the Congo, pursuant to resolution 1807 (2008).

In this connection, I wish to inform you that I have appointed the following persons to replace the arms and aviation experts for the remainder of the mandate until 31 December 2008:

- Mr. Peter Danssaert (Belgium, arms)
- Mr. Sergio Finardi (Italy, aviation)

I have also selected Mr. Jason Stearns, the current regional expert, to serve as Coordinator of the Group.

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

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# Report of the Secretary-General concerning the credentials of the alternate representative of the United States of America on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a note verbale dated 6 August 2008 from the United States Mission to the United Nations stating that Rosemary A. DiCarlo has been appointed alternate representative of the United States of America on the Security Council.

In the opinion of the Secretary-General, that communication constitutes adequate provisional credentials.

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## Letter dated 4 August 2008 from the Permanent Representative of Belgium to the United Nations addressed to the Secretary-General

I have the honour to transmit to you the concept paper for the open debate of the Security Council on the implementation of the measures set out in the annex to the note by the President of the Council dated 19 July 2006 (S/2006/507) (see annex). The debate is to be held on 27 August 2008.

I would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Jan **Grauls**
Ambassador
Permanent Representative of Belgium
to the United Nations

08-45298 (E) 070808

## Annex to the letter dated 4 August 2008 from the Permanent Representative of Belgium to the United Nations addressed to the Secretary-General

## Open debate on the implementation of the measures set out in the note by the President of the Security Council (S/2006/507)

### Concept paper by the Belgian Presidency of the Security Council

The note by the President of the Security Council (S/2006/507) was issued as part of the efforts of the Council to enhance the efficiency and transparency of its work, as well as interaction and dialogue with non-Council members. In this regard, the members of the Council committed themselves to implement the 63 measures described in the annex to the note.

The purpose of the open debate scheduled for 27 August 2008, two years after the issuance of S/2006/507, is to assess the implementation of the measures set out in the annex to that note, identifying both the improvements achieved in terms of efficiency, transparency and interaction and the challenges that still need to be tackled.

Bearing in mind that the Council acts on behalf of all Member States, all efforts made regarding the improvement of its working methods are worth considering in depth. However, in order to have a constructive and operational discussion, the debate could be centred on those measures presented in the note with the most impact on non-Council members. In this respect, interventions could focus on the implementation of concrete measures in three specific and interrelated fields: transparency, interaction with non-Council members and efficiency.

### Transparency

Since the issuance of S/2006/507, considerable progress has been made in the implementation of provisions meant to increase the Council's transparency. The monthly programme of work and the monthly forecast are made available on the Security Council website and are consistently updated (para. 37). Briefings by the Council presidency to non-Council members at the beginning of each presidency have become common practice (para. 4).[1] Formal Council meetings, as well as informal consultations, are consistently announced in the *Journal of the United Nations*. The *Journal* also announces meetings of subsidiary organs on a more regular basis than in the past (para. 47). As far as the format of meetings is concerned, the trend of the 1990s of systematically moving away from public meetings — until then the norm — and towards private consultations has been stemmed.

Challenges remain. A particular challenge with a direct impact on the wider membership is the Council's decision on the most appropriate format in which a

[1] Since the issuance of S/2006/507, 10 incoming presidencies have organized meetings in the United Nations building, announced in the *Journal of the United Nations*, to brief non-members on the monthly programme of work.

discussion should take place.[2] The importance of private consultations as an indispensable tool to facilitate prompt and timely decisions is clear. This, however, takes nothing away from rule 48 of the provisional rules of procedure, which states that "unless it decides otherwise, the Security Council shall meet in public". In the annex to S/2006/507, paragraph 26, the members of the Council therefore reaffirmed their commitment to increase recourse to open meetings. In line with this commitment, and in order to give a renewed impetus to public meetings, more reflection on how to make better use of public meetings — and how to keep them from being needlessly formalistic and excessively long — would be useful. A clear understanding of the rationale for the adoption of a specific format, as well as the objectives intended for each meeting, could prove particularly useful in enhancing both efficiency and transparency. These two equally important objectives should complement — not collide with — each other.

Other measures related to transparency that may be of particular interest are presented in paragraph 43, on the availability to non-Council members of draft Council decisions, and paragraph 47, on transparency as to the scheduling of meetings of the Council's subsidiary bodies.

**Interaction**

Decisions by the Council on format are one of a range of elements that influence the Council's interaction with the wider membership. In the annex to S/2006/507, paragraph 42, the members of the Council expressed their commitment to informally consult with the broader United Nations membership, in particular interested Member States, including countries directly involved or specifically affected, neighbouring States and countries with particular contributions to make, as well as with regional organizations and groups of friends, when drafting, inter alia, resolutions, presidential statements and press statements, as appropriate.

Since the issuance of S/2006/507, some prudent progress has been made in this regard. In public meetings, it has become more common for countries directly concerned to take the floor before Council members (para. 29).[3] Subsidiary bodies of the Council more often seek the views of Member States with a strong interest in their areas of work (para. 46).[4] There is at least an impression that regional and subregional organizations are more regularly invited to participate in Council

[2] In the period from 19 July 2006 (issuance of S/2006/507) to 31 December 2006, consultations constituted 44.1 per cent, public meetings 51.3 per cent and private meetings 4.5 per cent of all "meetings". In 2007, consultations constituted 45.6 per cent, public meetings 51.2 per cent and private meetings 3.2 per cent. In the first six months of 2008, consultations made up 41.4 per cent, public meetings 55.5 per cent and private meetings 3.1 per cent. In these figures, meetings with troop-contributing countries are not included (12, 20 and 7 such meetings in the above-mentioned periods, respectively).

[3] In the period from 19 July 2006 (issuance of S/2006/507) to 31 December 2006, Council members spoke before directly concerned non-members in 14 out of 29 meetings. In 2007, Council members did so in 27 out of 37 meetings. During the first six months of 2008, however, Council members spoke first in only 9 out of 34 meetings.

[4] Since the issuance of S/2006/507, the Council's sanctions Committees have extended invitations to 23 States with a special interest in, or especially affected by, the work of those subsidiary bodies, and have subsequently exchanged views with 12 of those States during meetings of the Committees. In one instance, the relevant Committee requested its Monitoring Group to provide States adequate time and opportunity to respond to and verify information collected by the Group.

meetings and in the Council's activities (para. 42).[5] Access to the Council for Member States with specific responsibilities in the Peacebuilding Commission has considerably improved, a measure not addressed in the annex to S/2006/507. Mechanisms have also been put in place that allow for meetings between the Council and countries that make particular contributions.

However, also in this field, important challenges remain. In the annex to S/2006/507, paragraph 50, the members of the Council expressed their intention to seek the views of Member States that are parties to a conflict and/or other interested and affected parties. In line with this intention, and as mentioned in paragraphs 46 and 50, more reflection could be useful, in particular on how to make better use of the existing format of private meetings.

**Efficiency**

The ever-growing workload of the Council and its subsidiary organs is a challenge for the capacity of Council members, as well as that of the United Nations Secretariat. This should encourage the Council to continuously reflect on measures to improve its efficiency. Such measures are mainly internal housekeeping rules. Some of them, however, also have direct consequences for non-Council members. In this field, considerable progress has been made since the publication of S/2006/507. The consistent notification in the *Journal* of the timing and agenda of formal meetings and closed consultations increases the predictability of the Council's work. The same applies to meetings of the Council's subsidiary organs. The more efficient and predictable the Council's work, the better non-Council members can anticipate upcoming decisions (which often require follow-up by non-Council members) or prepare their input (such as in the case of an open debate).

Also in this area, challenges remain. The provisions of paragraph 27, for example, on the length of statements during public meetings, by both Council members and non-Council members, is rarely implemented.

The efficiency of the Council's work is to a large extent related to the reports prepared by the Secretary-General. In this regard, while the Secretariat deserves credit for diligently implementing several recommendations contained in the annex to S/2006/507, the timely circulation of all reports is of particular relevance to the Council's efficiency. In paragraph 11 Council members agreed that reports should be circulated to Council members as well as to other participants in Council meetings, including meetings with troop-contributing countries, and made available in all official languages at least four working days before the Council is scheduled to consider them. Full and consistent implementation of this provision is in the common interest of both Council members and non-Council members.

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[5] Consultation and cooperation between the members of the Council and the members of the African Union Peace and Security Council have expanded and diversified considerably since the issuance of S/2006/507, including through two joint meetings held by the members of both bodies (16 June 2007 and 17 April 2008). Representatives of regional and subregional organizations have been invited to participate in a number of thematic and subject debates held by the Council, and communications addressed to the Council President by such organizations have regularly been circulated to Council members in connection with their consideration of specific agenda items. Council members have also increasingly consulted regional and subregional organizations during Security Council missions to the field.

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## Italy, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

*The Security Council,*

*Recalling* all its previous relevant resolutions on Iraq, in particular 1500 (2003) of 14 August 2003, 1546 (2004) of 8 June 2004, 1557 (2004) of 12 August 2004, 1619 (2005) of 11 August 2005, 1700 (2006) of 10 August 2006 and 1770 (2007) of 10 August 2007,

*Reaffirming* the independence, sovereignty, unity and territorial integrity of Iraq,

*Emphasizing* the importance of the stability and security of Iraq for the people of Iraq, the region, and the international community,

*Acknowledging* that a democratically elected and constitutionally based Government of Iraq is now in place,

*Welcoming* improvements in the security situation in Iraq achieved through concerted political and security efforts and *stressing* that challenges to security in Iraq still exist and improvements need to be sustained through meaningful political dialogue and national reconciliation,

*Underscoring* the need for all communities in Iraq to reject sectarianism, participate in the political process and an inclusive political dialogue, reach a comprehensive solution on the distribution of resources, and work towards national reconciliation for the sake of Iraq's political stability and unity,

*Reaffirming* the importance of the United Nations, in particular the United Nations Assistance Mission for Iraq (UNAMI), in supporting the efforts of the Iraqi people and Government to strengthen institutions for representative government, promote political dialogue and national reconciliation, engage neighbouring countries, assist vulnerable groups, including refugees and internally displaced persons, and promote the protection of human rights and judicial and legal reform,

*Expressing concern* for human rights challenges in Iraq and *stressing* the importance of addressing these challenges,

*Expressing concern also* for the humanitarian issues confronting the Iraqi people and *stressing* the need for a coordinated response and adequate resources to address these issues,

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*Underscoring* the sovereignty of the Government of Iraq, *reaffirming* that all parties should continue to take all feasible steps and develop modalities to ensure the protection of affected civilians, including children, and should create conditions conducive to the voluntary, safe, dignified, and sustainable return of refugees and internally displaced persons, *welcoming* new commitments of the Government of Iraq for the relief of internally displaced persons, *encouraging* continued efforts for internally displaced persons and refugees and *noting* the important role of the Office of the United Nations High Commissioner for Refugees, based on its mandate, in providing advice and support to the Government of Iraq, in coordination with UNAMI,

*Urging* all those concerned as set forth in international humanitarian law, including the Geneva Conventions and the Hague Regulations, to allow full unimpeded access by humanitarian personnel to all people in need of assistance, and to make available, as far as possible, all necessary facilities for their operations, and to promote the safety, security and freedom of movement of humanitarian personnel and United Nations and its associated personnel and their assets,

*Welcoming* the Secretary-General's appointment on 11 September 2007 of a new Special Representative for Iraq and recognizing the expanded role given to him and UNAMI as established in resolution 1770 (2007) of 10 August 2007,

*Acknowledging* the important roles played by the United Nations and the Government of Iraq in the First Anniversary Ministerial Review of the International Compact with Iraq, held in Stockholm on 29 May 2008, as well as in the expanded Neighbours Conference held in Kuwait on 22 April 2008, its working groups, and its ad hoc support mechanism, and underscoring the importance of continued regional and international support for Iraq's development,

*Welcoming* the Government of Iraq's decision to allocate a parcel of land in Baghdad to the UN for its new integrated headquarters, and *urging* the Government of Iraq to fulfil its commitment to contribute financially to this project,

*Welcoming also* the letter of 4 August 2008 from the Minister of Foreign Affairs of Iraq to the Secretary-General (S/2008/523, annex), setting forth the request of the Government of Iraq that the United Nations Assistance Mission for Iraq (UNAMI) continue to assist Iraqi efforts to build a productive and prosperous nation at peace with itself and its neighbours,

1. *Decides* to extend the mandate of the United Nations Assistance Mission for Iraq (UNAMI) for a period of twelve months from the date of this resolution;

2. *Decides further* that the Special Representative of the Secretary-General and UNAMI, at the request of the Government of Iraq and taking into account the letter of 4 August 2008 from the Minister of Foreign Affairs of Iraq to the Secretary-General (S/2008/523, annex), shall continue to pursue their expanded mandate as stipulated in resolution 1770 (2007);

3. *Recognizes* that the security of UN personnel is essential for UNAMI to carry out its work for the benefit of the people of Iraq and *calls upon* the Government of Iraq and other Member States to continue to provide security and logistical support to the UN presence in Iraq;

4. *Welcomes* the contributions of Member States in providing UNAMI with the financial, logistical, and security resources and support that it needs to fulfil its

mission and *calls upon* Member States to continue to provide UNAMI with these resources and support;

5. *Expresses* its intention to review the mandate of UNAMI in twelve months or sooner, if requested by the Government of Iraq;

6. *Requests* the Secretary-General to report to the Council on a quarterly basis on the progress made towards the fulfilment of all UNAMI's responsibilities; and

7. *Decides* to remain seized of the matter.

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**Letter dated 6 August 2008 from the Chargé d'affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council**

Since in today's meeting of the Council on the situation in Iraq certain allegations were raised against my country, I send you herewith the response of my delegation to the said baseless allegations (see annex).

I would be grateful if you could bring the present letter and its annex to the attention of the members of the Security Council and to circulate it as a document of the Council.

(*Signed*) Mehdi Danesh **Yazdi**
Ambassador
Chargé d'affaires a.i.

08-45310 (E) 070808

## Annex to the letter dated 6 August 2008 from the Chargé d'affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council

## Response of the representative of the Islamic Republic of Iran to the allegations made by the representative of the United States of America against Iran at the meeting of the Security Council on Iraq on 6 August 2008

The Security Council today heard, yet again, certain absurd allegations that were raised against the Islamic Republic of Iran by the representative of the United States. My delegation wishes to place on record that the Government of the Islamic Republic of Iran rejects these unfounded allegations, the raising of which has unfortunately become a tired and routine practice on the part of the United States.

As a victim of terrorism and as a country that has suffered from the heinous acts of terrorism committed in, and originated from, Iraq, particularly those perpetrated by certain terrorist groups that are sheltered, financed and supported by the United States and certain other permanent members of the Council, Iran has been unambiguous in its condemnation of all acts of violence and terrorism in Iraq and continues to be unwavering in its support for the Iraqi Government's fight against this menace. Iran has been always resolute in both its strong support for stability and national unity in Iraq and in its condemnation of any efforts to cause instability, insecurity and sectarian violence and terrorism in the country.

Undoubtedly, as do other neighbouring countries, Iran stands to benefit highly from stability, security and prosperity in Iraq, as it will immensely suffer from insecurity and instability in that country. Whereas Iran has proved, time and again, its good intention to help Iraq's stabilization, development and prosperity through close cooperation with the Iraqi Government in different fields as well as to help the Iraqi people overcome their immense difficulties, the US Government unwarrantedly insists on its unacceptable behaviour in scapegoating others, including Iran, for its own wrong policies in Iraq in order to distract the attentions from the real sources of US failures in that country that are the continuation of the presence of foreign forces in the country and certain wrong policies and practices on the part of foreign forces there.

It is noteworthy that, despite these groundless allegations, to date no single credible piece of evidence has ever been presented to substantiate them. To the contrary, several high ranking Iraqi officials are on record, stressing Iran's constructive role in the country and rejecting the said allegations.